

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

United States of America
PLAINTIFF

v. Civil No. 4:07CV00691 JMM

One 40 Caliber, Interarms Ultra Star 40 Firearm
DEFENDANT

DECREE OF FORFEITURE

One August 14, 2007 a Verified Complaint of Forfeiture against the defendant was filed on behalf of the Plaintiff, the United States of America. The complaint alleges that the currency was used or intended to be used in exchange for controlled substances in violation of 21 U.S.C. § 881 (a)(6).

It appearing that process was fully issued in this action and returned according law; That pursuant to a Warrant for Arrest issued by the Court, the United States Marshal for this District seized said property on August 30, 2007.

On September 24, 2007, a copy of the complaint and notice of complaint for forfeiture was mailed by certified mail, 7004 2510 0006 2599 3535, restricted delivery to Tony Phillips, 301 Clay Street, Newport, AR 72112. Mr. Phillips received the documents on September 27, 2007. No claim or answer has been filed on his behalf, and is hereby in default.

On September 24, 2007, a copy of the complaint and notice of complaint for forfeiture was mailed by certified mail, 7004 2510 0006 2599 3542, restricted delivery to Alvin Clay attorney of record for Tony Phillips, at P.O. Box 44, Little Rock, AR 72203. Mr. Clay did not claim the documents and the United States Postal Service returned them to the U.S. Attorney's

office on October 9, 2007. No claim or answer has been filed on his behalf, and is hereby in default.

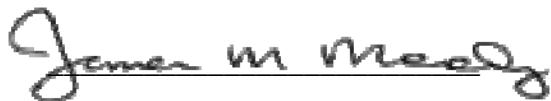
Notice of this action was published on October 3, 2007, October 10, 2007, and October 17, 2007. No other claims have been filed.

The property is more particularly described as One 40 caliber, Interarms Ultra Star 40 Firearm.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

- (1) That the defendant described herein is hereby forfeited to the United States of America to be disposed according to law.
- (2) That pursuant to 28 U.S.C. § 2465, reasonable cause existed for the seizure of the defendant.

IT IS SO ORDERED this 27 day of November, 2007.



James M. Moody
United States District Judge